

McGLINCHEY STAFFORD PLLC

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August 2, 2005

VIA FACSIMILE and
UNITED STATES MAIL

Susan Lambiase
Eric Thompson
Children's Rights Incorporated
404 Park Avenue South
New York, NY 10016

RE: *Olivia Y., et al. v. Haley Barbour, et al;* In the United States District Court for the
Southern District of Mississippi, Jackson Division; Cause No. 3:04CV251LN

Dear Ms. Lambiase:

This letter follows yours of August 1, 2005 regarding a proposed examination of John A. by
Dr. Wood Hiatt.

We have been advised by MDHS that John A. is doing quite well in his current foster home
where he lives with his siblings. His condition is more stable today than it has been for quite some
time. After discussing your examination request with MDHS, we are concerned about the impact that
an examination by an unfamiliar doctor may have on John A. Therefore, we request that you provide
additional information about the proposed examination so that we may discuss the matter with John
A.'s case workers and his doctor. We trust that you agree that a determination of what is in the best
interest of John A by his regular doctor is more important than immediately gathering information for a
lawsuit. Please understand that we want to minimize any stress or anxiety for John A.

Please advise us immediately of the purpose of Dr. Hiatt's proposed examination and the
details of what such an examination would entail. If you contend that any treatment that John A. has
received or is receiving is somehow deficient, please advise us of the alleged deficiencies. We will
also consider any suggested alternatives to an actual examination that may be helpful to the Plaintiffs'
counsel.

It is our general impression that John A. is not aware that he is a party to this lawsuit. Please
let us know whether a representative of the Plaintiffs, such as John A.'s legal representative, has
spoken to John A. regarding this lawsuit so that his doctors and caseworkers may adequately prepare
him for the prospect of an examination.

Sincerely,

McGLINCHEY STAFFORD, PLLC


Betty A. Mallett

Exhibit
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BAM/dmf

cc: Melody McAnally (via facsimile)